



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 71285
11 July 2013

MuckRock News
ATTN: Mr. Jason Gulledge
DEPT MR 6022
PO Box 55819
Boston, MA 02205-5819

Dear Mr. Gulledge:

This is an initial response to your Freedom of Information Act (FOIA) request of 17 June 2013, which was received by this office on 18 June 2013, for:

“all documents titled or mentioning the following terms in context of a government program or tool: ‘ANCHORY,’ ‘AMHS,’ ‘NUCLEON,’ ‘TRAFFICTHIEF,’ ‘ARCMAP,’ ‘SIGNAV,’ ‘COASTLINE,’ ‘DISHFIRE,’ ‘FASTSCOPE,’ ‘OCTAVE/CONTRAOCTAVE,’ ‘PINWALE,’ ‘UTT,’ ‘WEBCANDID,’ ‘MICHIGAN,’ ‘PLUS,’ ‘ASSOCIATION,’ ‘MAINWAY,’ ‘FASCIA,’ ‘OCTSKYWARD,’ ‘INTELINK,’ ‘METRICS,’ ‘BANYAN,’ AND ‘MARINA.’ In the fulfillment of this request, regardless of outcome, please include processing notes.”

Your request has been assigned Case Number 71285. This letter indicates that we have begun to process your request. There is certain information relating to this processing which the FOIA and applicable Department of Defense (DoD) and NSA/CSS regulations require we inform you.

There is a two-pronged test a requester must satisfy to qualify for a fee waiver. First, the requested information must be in the public interest. Second, the request must not be primarily in the requester’s commercial interest. The following six factors further define the two-pronged waiver test, and a requester must meet the first four factors to qualify under the public interest prong:

1. The subject of the request must concern the “operations and activities of the government.”
2. The disclosure of information is “likely to contribute to an understanding of government operations and activities.”
3. The disclosure of the requested information will “contribute to public understanding.”
4. The disclosure is likely to contribute “significantly” to public understanding of government operations and activities.

5. The requester has a commercial interest that would be furthered by the requested disclosure.
6. Whether any identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, thereby rendering the disclosure "primarily in the commercial interest of the requester."

In analyzing these criteria, I have determined that you do not meet the first four factors, which make up the public interest prong. The list of terms you seek does not concern the "operations and activities of the government." Also, you have not explained how release of the requested information would "contribute to the public's understanding" or how you have the capability to disseminate the information to the general public. It appears that the information you seek is for personal use and not information that would contribute to the public's understanding of NSA or U.S. government activities. Therefore, after reviewing your request and determining that you do not meet the standards for factors 1-4 of the public interest prong, it is my finding that you do not qualify for a fee waiver.

The Initial Denial Authority for NSA information is the Associate Director for Policy and Records, David J. Sherman. If you disagree with the decision regarding fee waiver denial, you may file an appeal to the NSA/CSS Freedom of Information Act Appeal Authority. The appeal must be postmarked no later than 60 calendar days after the date of the initial denial. The appeal shall be in writing addressed to the NSA/CSS FOIA Appeal Authority (DJ4), National Security Agency, 9800 Savage Road STE 6248, Fort George G. Meade, MD 20755-6248. The appeal shall reference the fee waiver denial and shall contain, in sufficient detail and particularity, the grounds upon which you believe waiver of fees is warranted. The NSA/CSS FOIA Appeal Authority will endeavor to respond to the appeal within 20 working days after receipt, absent any unusual circumstances.

For purposes of this request and based on the information you provided in your letter, you are considered an "all other" requester. You must pay for search time in excess of 2 hours and duplication in excess of 100 pages. A preliminary search of previous FOIA releases located the enclosed material relating to your request for documents referring to ANCHORY. Those documents are enclosed.

However, your request for any document titled or mentioning the "government programs and tools" in your list is overly broad, unreasonably burdensome, and not specific enough to allow a reasonable search. Department of Defense Regulation 5400.7-R states that the requester must provide a description of the desired record so that the Government is able to locate the record with a reasonable amount of effort.

Our initial and subsequent attempt to initiate the search for responsive records has revealed that the volume of material that must be searched to locate records responsive to your request is extensive and would require an elaborate search way beyond the 2 hours of free search time that has already been expended. You have not defined your request with a specificity that would allow us to hone in on the types of records you are seeking, nor does it allow the conduct of an

organized, non-random search. In addition, it does not enable us to estimate the cost to conduct a search for information. We expect that a search of this magnitude will result in unusually high search costs, which would be passed on to you as an "all other" requester.

I note that it is the requester's responsibility to frame requests with sufficient particularity to ensure that searches are not unreasonably burdensome, and to enable the searching agency to determine precisely what records are being requested. We will hold your request in abeyance pending further instructions from you redefining your request and providing us with the cost you are willing to pay to have a search conducted. Once those instructions are received, we will continue processing your request. If we do not hear from you within 30 days from the date of this letter, we will assume that you are no longer interested in pursuing this request, and we will administratively close your case with no further processing.

Correspondence related to your request should include the case number assigned to your request, which is included in the first paragraph of this letter. Your letter should be addressed to National Security Agency, FOIA Office (DJ4), 9800 Savage Road STE 6248, Ft. George G. Meade, MD 20755-6248 or may be sent by facsimile to 443-479-3612. If sent by fax, it should be marked for the attention of the FOIA Office. The telephone number of the FOIA office is 301-688-6527.

Sincerely,

A handwritten signature in black ink, appearing to read "Pamela N. Phillips", written in a cursive style.

PAMELA N. PHILLIPS
Chief
FOIA/PA Office

Encls:
a/s